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WATER RIGHTS
SALT LAKE

PROVO RIVER DISTRIBUTION SYSTEM
MINUTES OF SPECIAL MEETING HELD
January 11, 1990

Pursuant to the Notice from the office of the State Engineer, and to call by the Chairman, the Board of Directors of the Provo River Distribution System convened at 10:30 A. M. in Court Room 2301 of the new Utah County Courthouse.

Distribution Engineer Lee H. Sim presided.

On roll call, the following were present:

J. Edwin Ure, Chairman	Group 1 Kamas Valley Canals
Sherman A. Giles	Group 2 Upper Provo, East Heber Valley
Harvey Van Wagoner, Vice-Chair.	Group 3 Upper Provo, West Heber Valley
Carl H. Carpenter	Group 4 Provo City Canals
Stanley H. Roberts	Group 5 East Provo Canals
Kenneth R. Gillman	Group 6 Provo Bench Canals
Mack A. Anderson	Group 7 Provo Reservoir Water Users Company
Jack M. Gardner, Secty.-Treas.	Group 8 Provo River Water Users Association
Ferrell Knight	Group 9 Upper Provo Individual Rights

Present for State Engineer's Office were:

Jim Riley	District Eng.-Division of Water Rights
Lee H. Sim	Distribution Eng.-Div. of Water Rights
John Larson	Adjudication Eng.-Div. of Water Rights
Blaine C. Thomsen	Adjudication Eng.-Div. of Water Rights

Also present were:

Ernie F. Giles	East Heber Valley
Rick Cox	Provo River Water Users
Stanley H. Roberts, Jr.	Provo River Commissioner

Daryl Devey	Central Utah Water Conser- vancy District Water
Ronald Christensen	Central Utah Water Conser- vancy District
Herman Cooley	Kamas, Utah

Mr. Sim opened the meeting and inquired if there were any changes in officers or directors, and was advised that the officers and directors remained the same. He then introduced Jim Riley, and advised that Mr. Riley is District Engineer for the Provo River and Utah Lake District. He then introduced Mr. Blaine Thomsen, Adjudication Engineer.

Mr. Sim presented the agenda of the meeting and then turned the meeting over to Chairman Ure.

CORRECTION, ADOPTION OF MINUTES OF SPECIAL MEETING, JANUARY 12, 1989.

It was noted that the minutes had been published and the reading of the minutes had been waived.

Thereupon there being no corrections, Director Carpenter moved that the minutes be adopted, seconded by Director Giles and carried unanimously.

FINANCIAL REPORT OF 1989 AND DELINQUENT ACCOUNTS:

Mr. Sim then presented the 1989 Financial Report and delinquent accounts as prepared by the State Engineer. The Financial Report is attached hereto and made a part of these minutes.

Mr. Sim was advised that the Board accepted the Financial Report at it's annual meeting held January 10, 1990.

Mr. Sim noted that the delinquent water assessments amounted to a total due of only \$472.51. A new policy re-

garding collection of delinquent assessment has been adopted by the State Engineers office. If the delinquent account is under \$30.00 the State Engineer will give notice only once. Accounts from \$30.00 to \$100.00, after first notice will be turned over to Commissioner Roberts for collection. Accounts over \$100.00 the State Engineer will collect even by litigation if necessary. The water right owner to pay court costs.

Whereupon Director Carpenter moved to accept this new policy and the motion was seconded by Director Giles and carried unanimously.

COMMISSIONER & DEPUTY COMMISSIONER'S REPORT

Commissioner Roberts noted that the 1989 annual report was completed and that the 1985 and 1986 and 1988 annual reports would be out by the first of March. Copies of the 1989 report were distributed to those who requested a copy.

Whereupon Commissioner Roberts called on Deputy Commissioner Giles for his report of distribution of the Wasatch Division during the past irrigation season.

Deputy Commissioner Giles reported that the 1989 was the third year in a row with below average precipitation. At the First of February 1989 there was 10.87" of water at Trial Lake gauging station while the average is 15.31" or 71% of average. The 1990 water year is below normal. As of January 1, 1990 Trial Lake gauge registered 5.7" of water or 52% of normal as compared with January 1, 1989 at 8.1" of water or 60% of normal. There was no snow in Heber Valley in February and on May 23 the Provo River peaked at 1526 c.f.s. with the natural flow at 906 c.f.s. The natural flow at Midway in normal years peaks at about 3000 c.f.s. The Timpanogos and Extension Irrigation Companies 14 class water was gone July 1st. The Upper Provo river was at 100% to June 27, 80% to July 1, 60% to July 15, 40% August 1, 35% to August 15, 30% to September 1 and 40% to the end of September.

Long Lake and Trial Lake reservoirs were restricted from storing any water and the remaining head of the river reservoir only stored 1/2 of their capacity or about 5000 ac. ft.

The contractor constructing the Jordanelle Dam is diverting 8 c.f.s of Ontario Drain water into the pond created by the fill material excavation and pumping 3 1/2 c.f.s. out. The USBR has not made any provisions to provide water for the dam construction.

The Beaver & Shingle Creek Irrigation Company and Bar X. Company have sold their 1990 Deer Creek Project water allocation of 900 ac. ft. and 125 ac. ft. respectively to the USBR

for fish release.

The Duchesne River Water Commissioner ordered the diversion into the Duchesne Tunnel shut off on June 30, 1989 due to a protest to the State Engineers duly set for 1989 to make water diversions on the Duchesne River and also the withdrawal of the deferral agreement by the Indians and the demand for delivery of their water. This is the earliest the Duchesne Tunnel has been shut off. The water was out of the Duchesne Tunnel until September 27th.

Deputy Commissioner Giles then stated that he enjoyed his work as Deputy Commissioner on the Provo River in 1989 and thanked the people who worked with him. The Water Users on the Provo River, the Provo River Distribution System, Commissioner Roberts, the State Engineer's office, the Provo River Water Users Association for its help in making equipment and operators available to build rock diversion dams along the upper Provo.

Commissioner Roberts reported that the rebuilding of Trial Lake Dike and Dam was progressing. That the owners had hired attorney Joseph Novak and negotiations with CUWCD to provide construction funds had been successful. The engineering firm of CH2M Hill is preparing a cost estimate and design for the reconstruction of the dike. The Quail Creek dike failure has caused the Forest Service to consider removing the existing dam and rebuilding the dam and dike. Estimates ranged from \$500,000 to \$1,300,000 to complete the works depending on who did the engineering and the scope of the work. The reservoir has a capacity of 1660 ac. ft. The exchange agreement with Jordanelle provides for 1520 ac. ft. which is the average record amount stored over a 30 year period. The Forest Service finally allowed the gates on the reservoirs except Trial Lake and one other, with some gates open 1". The reservoirs are to be observed this winter and on the 1st of April the Forest Service will decide whether to open or close the gates. Big Elk reservoir is not involved.

Deer Creek reservoir was at its fullest June 17, 1989 at elevation 148,844 with 3720 ac. ft. needed to fill. The reservoir was declared full on March 21, 1989 as the Trial Lake Snotel station read 101% of normal. It was later found that there was only 68% of normal at Trial Lake after extra allotment water had been released. There was ample extra allotment and power water released to have filled the reservoir, run out the holdover and deliver some extra allotment.

The irrigation season began May 15, with Class "A" at 100%, the river dropped to 75% then to 60% and during September it was at 50%. There were some rains late in the year and Class "A" was at 100% at the end of the year.

Commissioner Roberts noted that the State Engineer was allowing stockholders in irrigation companies to file change applications changing the water represented by the stock to wells etc. The quantifying of these change applications and the administering of these small rights is almost impossible

the administering of these small rights is almost impossible and it was recommended that the State Engineer be asked to place an assessment on these changes to pay the cost of administering them.

Commissioner Roberts noted that the Welby-Jacob exchange was implemented during part of the irrigation season and that the purchased fish water releases are being made both of which have caused much confusion in administering the flows of the Provo River. When Jordanelle is completed the system will be further complicated.

Commissioner Roberts expressed his appreciation to the Board, State Engineer and others for their cooperation in the 1989 season and noted that although it was a dry year there was harmony on the river distribution system and the problems were discussed and worked out.

BUDGET AND ASSESSMENT, 1990

Chairman Ure advised Mr. Sim that a budget and assessment had been prepared by the Provo River Distribution System at the annual meeting on the 10th of January 1990 and asked Secretary Gardner to present this budget. The prepared budget and assessment was distributed and Secretary Gardner noted the changes made and that \$56,000 had been budgeted and that the Distribution System assessment was \$52,000.00.

Secretary Gardner noted that there was a special assessment of \$6000.00 that was paid by CUWCD to be paid the Provo River Commissioner for extra works' expense caused by the implementation of the Deer Creek Strawberry Exchange. The State Engineer has come up with a new format and that the \$6000.00 CUWCD special assessment was added to items of the Distribution System budget such as commissioners salary, mileage etc. by the State Engineer and this finalized budget and assessment will be presented to the Board for review at it's next annual meeting. The total 1990 budget is \$62,000 and the total assessment, \$58,000.00 with the \$4,000 difference to come from the trust fund.

Director Carpenter moved that the budget and assessment be approved. Director Gillman seconded the motion and it carried unanimously.

The budget and assessment are attached hereto and made a part to these minutes.

STATE ENGINEER ADVISED OF RECOMMENDATION OF COMMISSIONER AND DEPUTY COMMISSIONER

Chairman Ure advised Mr. Sim that at the annual meeting

had been chosen as the recommended Provo River Commissioner and Sherman A. Giles as Deputy Commissioner for the ensuing year.

Mr. Sim stated he would take the recommendations under advisement and present the same to the State Engineer and expressed his appreciation for the cooperation of the Commissioners.

OTHER BUSINESS

PRESENTATION OF RESOLUTION TO STATE ENGINEER

Chairman Ure advised the State Engineer that the water users on the Provo River were concerned about the approval of change application moving water out of canals causing increased seepage loss and depletion of return flow to the Provo River. Also the allowing of a stockholder in a company to file a change application affecting the company's water right and of the cost of administration of these change applications.

Chairman Ure advised that at a special meeting held, prior to the meeting with the State Engineer, a resolution was passed to this effect and presented Mr. Sim the Resolution. The resolution is attached hereto and made a part of these minutes.

Mr. Sim stated that he would discuss this with the State Engineer.

PROVO RIVER AND UTAH LAKE ADJUDICATION STATUS REPORT

Mr. John Larson, Adjudication Engineer, presented a map, covering the Provo River drainage area, showing the location of compilation of water rights in certain books nos. 2, 3, 4 & 8 through 11, noting that book no. 1 was completed and covered Round Valley which was not included in the Provo River Decree. Each book contains 700 to 1000 separate water rights and book no. 2 will be completed in about 30 days. No work has been done as yet in the areas covered by books 10 & 11. Mr. Larson explained the procedure in making a determination of water rights and noting that substantial progress has been made in the Provo River Drainage.

Mr. Sim noted that there were 35 distribution systems in the state and the annual cost to the state is about \$75,000 to administer. There has been proposals by legislature that there be a cut in the appropriation for the State Engineer, reducing staff including the Adjudication Department. Also that the State Engineer levy an assessment to the Distribution System for administration costs by the state. Also it is possible that the state will pay all the costs of the Distribution Systems.

The computerizing of the commissioners report to a stan-

The computerizing of the commissioners report to a standard format through out the State if being considered. A seminar for all commissioners throughout the State is scheduled for March 16, 17, 1990.

ADJOURNMENT

There being no further business Director Giles moved the meeting adjourn. Director Gillman seconded the motion and it carried unanimously. The meeting adjourned at 11:30 A.M.

Date Approved: _____

Jack M. Gardner
Secretary

PROVO RIVER DISTRIBUTION SYSTEM

1990 Budget

Budget Item:	Description of Budget	Amount Approved
1.	Commissioner's Salary	\$ 17,325.00
2.	Deputy Commissioner's Salary	15,645.00
2-A	Comm. & Dep. Comm. Matching Soc. Sec. Tax (.0765)	2,522.21
2-B	Comm. St. Retirement (13.11) *(12.37)	1,135.65 1,071.55
2-C	Dep. Comm. St. Retirement (Non-contributory (13.18) *(12.85)	1,031.01 1,005.19
2-D	Deputy Comm. Trainee (contractual)	1,000.00
3.	Office Rent	300.00
4.	Travel Expense	3,300.00
4-A	Commissioner's Travel Expense .31/mile	
4-B	Dep. Comm.'s Travel Expense .38/mile	
5.	Field Equipment and Supplies	350.00
6.	Office Equipment and Supplies	300.00
7.	Commissioner's Annual Report - 1985,1986,1988,1990	1,200.00
8.	Commissioner's Telephone Expense	300.00
9.	Committee Expense	1,200.00
10.	Bonds and Insurance Premiums	200.00
11.	Install & Maintain Weirs & Recorders	500.00
12.	Utah Water Users Association	900.00
13.	Miscellaneous Expenses	14.39
14.	Health Insurance - Comm. & Dep. Comm.	6,700.00
TOTAL 1990 BUDGET		\$ 56,000.00
Distribution Board Total 1990 ASSESSMENT		52,000.00
From Trust Fund		\$4,000.00
Central Utah Water Conservancy District 1990 ASSESSMENT (For Commissioner's extra work compensa- tion, Salary, Soc. Sec. Tax, St. Retire- ment, mileage expenses)		6,000.00

* Effective July 1, 1990